

REMARKS

Claims 1 and 5-9 have been canceled, and claims 2-4 are presented for further examination.

Applicants hereby affirm their election of claims 1-4 for examination in the instant application. Non-elected claims 5-9 are hereby canceled without prejudice to, or disclaimer of, Applicants' rights to prosecute the subject matter thereof in an appropriate divisional application.

The rejection of claim 1 under 35 U.S.C. § 102(b) over Gilbert et al., US 3,594,418 has been rendered moot by cancellation of the involved claim.

The rejection of claims 2-4 under 35 U.S.C. § 103(a) over Gilbert et al. is respectfully traversed.

The presently claimed invention relates to diamines in which the amine groups are located in the para or meta positions relative to each other. The Applicants have unexpectedly and surprisingly found that:

(a) transparent, tough films were obtained from polymers (A), (B) and (C), each prepared by using the diamine in which the amino groups were located in the para position to each other (see page 24, lines 3-7 of the specification);

(b) a tough film was obtained from polymer (D) derived from polymer (A) through cyclization (see page 24, lines 8-16; page 16, lines 14-26; and page 4, lines 7-11 of the specification);

(c) highly-homogeneous, tough, transparent films were produced from polymers (E), (F) and (G), each prepared by using a diamine in which the amino groups are located in para position to each other (see page 25, line 9 to page 26, line 1 of the specification);

(d) tough fluorine-containing polymer films were obtained from polymers or polyimides (H), (I) and (J), respectively derived from polymers (E), (F) and (G) (see page 26, line 1 to page 27, line 3 of the specification), and

(e) polymers or polyimides (H), (I) and (J) showed high heat resistances and low dielectric constants (see page 27, lines 3-14 of the specification).

Importantly, the superior results achieved using diamines according to the present invention were totally surprising and could not have been expected or predicted based upon the information available to persons of ordinary skill in the art at the time the present invention was made, including the cited Gilbert et al. patent and the knowledge possessed by persons of ordinary skill in the polymer art.

As acknowledged in the Office Action, Gilbert et al. (see column 1, line 50) does not disclose diamines in which amine groups are located in para- and meta positions relative to each other. Gilbert et al. only discloses 1-(2-hydroxyhexafluoro-2-propyl)-3,4-diaminobenzene in which amino groups are located in the ortho position relative to each other. Even assuming *arguendo* that the meta and para isomers of the Gilbert et al. compound might have been *prima facie* obvious to a person of ordinary skill in the art, it is well established that *prima facie* obviousness can be effectively rebutted by evidence of unexpected superior results. *In re Sullivan*, 84 USPQ2d 1034 (Fed. Cir. 2007); *In re Papesch*, 137 USPQ 43 (CCPA 1963). Moreover, evidence of unexpected superior properties contained in the specification of the application must be considered. *In re Margolis*, 228 USPQ 940 (Fed. Cir. 1986); *In re Soni*, 34 USPQ2d 1684 (Fed. Cir. 1995).

When the evidence in the specification of unexpected superior results is considered, it can be seen that, in contrast with the ortho diamine of Gilbert, the diamine of the present invention in which amino groups are located in para position to each other, is capable of providing linear polymers (A) to (J), which were proved to be unexpectedly very useful as explained above. It follows that any *prima facie* case of obviousness made out by Gilbert et al. is effectively rebutted, and that claims 2 and 4, each reciting the diamine in which amino groups are located in para position to each other, are patentable over Gilbert et al.

It is considered that the diamine, where amino groups are located in meta position to each other, is capable of providing advantageous effects that are

similar to the above-mentioned advantageous effects of the diamine in which the amino groups are located in para position to each other. Therefore, Applicants also assert that claim 3 is patentable over Gilbert et al.

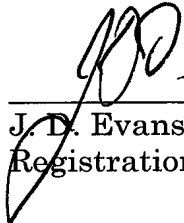
Therefore, in view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned at (202) 624-2845 would be appreciated since this should expedite the examination of the application.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 038788.58040US).

Respectfully submitted,

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